

Introduced by Senator McGuire

February 23, 2015

An act to amend Sections 18901.10 and 18914 of, and to add Section 10508 to, the Welfare and Institutions Code, relating to public social services.

LEGISLATIVE COUNSEL'S DIGEST

SB 297, as introduced, McGuire. Public benefits: eligibility determinations.

(1) Existing law provides for financial and food assistance benefits to needy Californians including, among other programs, the California Work Opportunity and Responsibility to Kids (CalWORKs) program and CalFresh, under which each county provides for financial and food assistance benefits to qualified individuals who meet specified eligibility criteria.

This bill would require the State Department of Social Services to develop and make available to county human services agencies, for use at their option, an electronic verification system that allows the county human services agency eligibility workers to access data available electronically from other state agencies and programs for use in connection with the determination of eligibility for means-tested public benefit programs.

(2) Existing federal law provides for the federal Supplemental Nutrition Assistance Program (SNAP), known in California as CalFresh, formerly the Food Stamp Program, under which supplemental nutrition assistance benefits allocated to the state by the federal government are distributed to eligible individuals by each county. Under existing law, county human services agencies administer CalFresh. Existing law requires the county human services agency to provide CalFresh benefits

on an expedited basis to households determined to be in immediate need of food assistance, and requires the department to develop and implement for expedited issuance a uniform procedure for verifying information required of an application.

This bill would require this verification procedure to include guidance on verifying the identify of an applicant using information available through the Medi-Cal Eligibility Determination System (MEDS) or the verification system developed pursuant to this bill. The bill would require the State Department of Social Services to develop and implement a uniform procedure for processing applications to provide benefits on an expedited basis, as specified.

Existing law requires each county human services agency, to the extent permitted by federal law, to exempt a household from complying with face-to-face interview requirements at initial application and recertification, and authorizes a person eligible for an exemption from the face-to-face interview requirement to request a face-to-face interview to establish initial eligibility or comply with recertification requirements.

This bill would require a county human services agency to facilitate submission of required documents using electronic and telephone technologies for the purpose of determining eligibility, and would also expand the circumstances under which a face-to-face interview is required. The bill would require the department to issue guidance for recording and storing electronic and telephonic signatures. By increasing the duties of county human services agencies administering CalFresh, this bill would impose a state-mandated local program.

The bill would require the State Department of Social Services to coordinate with county human services agencies to develop a system that has the capacity to store telephonic and electronic signatures, as specified.

(3) The California Constitution requires the state to reimburse local agencies and school districts for certain costs mandated by the state. Statutory provisions establish procedures for making that reimbursement.

This bill would provide that, if the Commission on State Mandates determines that the bill contains costs mandated by the state, reimbursement for those costs shall be made pursuant to these statutory provisions.

Vote: majority. Appropriation: no. Fiscal committee: yes.
State-mandated local program: yes.

The people of the State of California do enact as follows:

1 SECTION 1. Section 10508 is added to the Welfare and
2 Institutions Code, to read:

3 10508. (a) In order to ensure timely and accurate decisions on
4 applications for means-tested public benefit programs, the
5 department shall develop and make available to county human
6 services agencies, for use at their option, an electronic verification
7 system that allows eligibility workers to access data available
8 electronically from other state agencies and programs for use in
9 connection with the determination of eligibility for means-tested
10 public benefit programs. In developing this electronic verification
11 system, the department shall consult with county human services
12 agencies, eligibility workers, and client advocates.

13 (b) The electronic verification system identified in subdivision
14 (a) shall be completed no later than the expiration of the federal
15 waiver for Office of Management and Budget Circular A-87, which
16 requires states to evenly allocate the development costs for systems
17 that are federally funded.

18 (c) (1) If the electronic verification system developed pursuant
19 to subdivision (a) includes information obtained from an agency
20 that is subject to the requirements of either the federal Fair Credit
21 Reporting Act (15 U.S.C. Sec. 1681 et seq.) or the Consumer Credit
22 Reporting Agencies Act (Title 1.6 (commencing with Section
23 1785.1) of Part 4 of Division 3 of the Civil Code), the department
24 shall report to the Legislature regarding the ways in which the
25 electronic verification system guarantees the rights established
26 under these laws to protect individuals from negative actions
27 resulting from incorrect information.

28 (2) A report submitted pursuant to this subdivision shall be
29 submitted in compliance with Section 9795 of the Government
30 Code.

31 SEC. 2. Section 18901.10 of the Welfare and Institutions Code
32 is amended to read:

33 18901.10. (a) To the extent permitted by federal law, and
34 subject to the limitation in ~~subdivision (e), paragraph (1)~~, each
35 county ~~welfare department shall, if appropriate, human services~~
36 ~~agency shall~~ exempt a household from complying with face-to-face
37 interview requirements for purposes of determining eligibility at
38 initial application and recertification, ~~according to the following:~~

1 *and shall facilitate submission of required documents using*
2 *electronic and telephone technologies.*

3 ~~(a) The county welfare department shall screen each household's~~
4 ~~need for exemption status at application and recertification.~~

5 ~~(b) A person eligible for an exemption under this section may~~
6 ~~request a face-to-face interview to establish initial eligibility or to~~
7 ~~comply with recertification requirements.~~

8 ~~(c) Nothing in this section shall limit a county's ability to require~~
9 ~~an applicant or recipient to make a personal appearance at a county~~
10 ~~welfare department office if the applicant or recipient no longer~~
11 ~~qualifies for an exemption or for other good cause.~~

12 *(1) A face-to-face interview shall be required if any of the*
13 *following occur:*

14 *(A) A face-to-face interview is requested by the applicant,*
15 *recipient, or authorized representative.*

16 *(B) On a case-by-case basis, it is deemed necessary by the*
17 *county to clarify a condition of eligibility.*

18 *(C) A face-to-face interview is required in order to make timely*
19 *and reasonable accommodations to serve a household with a*
20 *person who has a disability, is advanced in age, or is homeless.*
21 *For purposes of this subparagraph, a face-to-face interview shall*
22 *be conducted in a mutually acceptable location.*

23 *(2) When a face-to-face interview is not required pursuant to*
24 *this subdivision, a telephone interview shall be conducted.*

25 *(3) A face-to-face interview and telephone interview shall be*
26 *conducted by county human services agency staff.*

27 *(b) (1) In order to facilitate submission of required information*
28 *by applicants and recipients, the department shall issue guidance*
29 *for recording and the storing of electronic and telephonic*
30 *signatures.*

31 *(2) The department shall coordinate with county human services*
32 *agencies to create a system that has the capacity to store telephonic*
33 *and electronic signatures. The department shall, in developing*
34 *this system, work with county human services agencies and with*
35 *the Office of Systems Integration to ensure this system is designed*
36 *to be directly accessed through the statewide automated welfare*
37 *system developed pursuant to Section 10823 and that the telephonic*
38 *and electronic signatures would be stored within the statewide*
39 *automated welfare system, if appropriate.*

1 (3) *A county shall not be required to use this system if the county*
2 *is complying with the guidance established by the department*
3 *pursuant to paragraph (1).*

4 (c) *The state shall not, nor shall any county, enact a waiver of*
5 *federal law that allows an eligibility interview to be conducted by*
6 *anyone other than a county human services agency staff.*

7 SEC. 3. Section 18914 of the Welfare and Institutions Code is
8 amended to read:

9 18914. (a) In accordance with, and to the extent provided by,
10 federal law, the county human services agency shall provide
11 CalFresh benefits on an expedited basis as provided in subdivision
12 (b) to households determined to be in immediate need of food
13 assistance.

14 (b) Pursuant to the federal requirements of Section 273.2(i)(2)
15 of Title 7 of the Code of Federal Regulations, the county human
16 services agency shall screen all CalFresh applications for
17 entitlement to expedited service. Applicants who meet the federal
18 criteria for expedited service as defined in Section 273.2(i)(1) of
19 Title 7 of the Code of Federal Regulations shall receive either a
20 manual authorization to participate or automated card or the
21 immediate issuance of CalFresh benefits no later than the third
22 day following the date the application was filed. To the maximum
23 extent permitted by federal law, the amount of income to be
24 received from any source shall be deemed to be uncertain and
25 exempt from consideration in the determination of entitlement for
26 expedited service. For purposes of this subdivision, a weekend
27 shall be considered one calendar day.

28 (c) The State Department of Social Services shall develop and
29 implement for expedited issuance a uniform procedure for verifying
30 information required of an applicant. *This verification procedure*
31 *shall include guidance on verifying the identity of an applicant*
32 *using information available through the Medi-Cal Eligibility*
33 *Determination System (MEDS) or the verification system developed*
34 *pursuant to Section 10508.*

35 (d) *The department shall develop and implement a uniform*
36 *procedure for processing applications to provide benefits on an*
37 *expedited basis that are submitted electronically or by telephone*
38 *and conducting interviews by telephone that are consistent with*
39 *the process established pursuant to Section 18901.10.*

1 SEC. 4. If the Commission on State Mandates determines that
2 this act contains costs mandated by the state, reimbursement to
3 local agencies and school districts for those costs shall be made
4 pursuant to Part 7 (commencing with Section 17500) of Division
5 4 of Title 2 of the Government Code.

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